

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

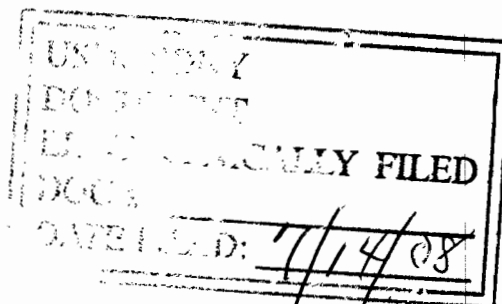
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TUFENKIAN IMPORT/EXPORT VENTURES,
INC.,

Plaintiff,

-against-

TRUETT FINE CARPETS & RUGS and DAVID
TRUETT,

Defendants.
----- x



Civil Action No. 08 CV 4953
(SAS)

SCHEDULING ORDER

Conference Date: July 14, 2008

WHEREAS, the Court issued an Order for a Conference in accordance with Fed R. Civ. P. 16(b) on June 19, 2008 (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

1. (a) **Conference Date:** The Rule 16(b) conference for the above-captioned action is scheduled for July 14, 2008 at 4:30 p.m.

(b) **Appearances:**

Plaintiff: Ronald W. Meister
Thomas Kjellberg
Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036-6799
Tel: (212) 790-9255

Defendants: Anthony C. Xanthakis
Craig A. Lamster
Galvano & Xanthakis, P.C.
150 Broadway, Suite 2100
New York, NY 10038
Tel: (212) 349-5150

2. **Issues Presented:** Did the defendants infringe plaintiff's registered copyright in an original design known as "Snakes and Ladders" by causing to be manufactured, offering for sale and selling goods embodying a design that is copied from and substantially similar to plaintiff's copyrighted design?

3. **Discovery Schedule:**

(a) **Persons to be deposed and schedule of planned depositions:**

Plaintiff will depose the following individuals:

- (A) David Truett
- (B) Truett Fine Carpets & Rugs by the individual(s) with the best knowledge concerning the design, manufacture and sale of, and the revenue derived from, the allegedly infringing goods

Defendants will depose the following individuals:

- (A) James Tufenkian
- (C) Danny Wilbur
- (B) Meal Birnbaum
- (D) Deirdre (last name unknown)

All depositions will be completed on or before ~~December 10, 2008~~ ^{Nov. 17}.

Automatic disclosure complete as of July 15. Doc. Requests by 8/1

(b) **Schedule for the Production of Documents:** Production to be completed on or before ~~October 15, 2008~~ ^{Nov. 17}.

(c) **Experts' Reports and Depositions:** The depositions of all experts will be completed on or before ~~January 15, 2009~~ ^{Dec.}.

(d) **Discovery Cut-Off:** Discovery will be completed on or before ~~February 13, 2009~~ ^{Jan. 13}.

(e) **Deadline for Plaintiff to Supply its Pre-Trial Order Matters to Defendants:** ~~March 13, 2009~~ ^{Feb.}.

(f) **Deadline for Parties to Submit Pre-Trial Order, Trial Briefs and Either (1) Proposed Findings of Fact and Conclusions of Law or (2) Proposed Voir Dire Questions and Proposed Jury Instructions:** ~~April 30, 2009~~ ^{Feb. 27, 2008}.

(g) **Final Pre-Trial Conference:** The final pre-trial conference will be held on ~~Dec. 19~~ ^{Dec. 19} at ~~4:30~~ ^{4:30}.

4. **Limitations to be Placed on Discovery:** Documents designated confidential to be produced under a standard protective order.

5. **Discovery Issues Presently Existing:** No discovery issues presently exist between the parties.

6. **Anticipated Fields of Expert Testimony:** Not yet known

7. **Anticipated Length of Trial:** The parties expect the trial to take approximately three trial days. (June)

8. **Statement Regarding the Amendment of this Scheduling Order:** The parties acknowledge that the Scheduling order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires.

COWAN, LIEBOWITZ & LATMAN, P.C.

By Ronald W. Meister
Ronald W. Meister (rwm@ccl.com)
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150 Broadway Suite 2100
New York, NY 10038
(212) 349-5150
Attorneys for Defendants

SO ORDERED:

Shira A. Scheindlin
SHIRA A. SCHEINDLIN
U.S.D.J.
7/14/08